

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
DES MOINES DIVISION

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IN RE:	)	Bankruptcy No. 20-00397 Imj13
	)	Chapter 13
Rusty J. Long and	)	
Katherine Sue Long,	)	
	)	STIPULATED ORDER ON
	)	MOTION FOR RELIEF FROM
Debtors.	)	AUTOMATIC STAY

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NOW upon consideration of the Motion for Relief From Stay filed on behalf of Selene Finance, LP, having reviewed the file, and noting proper service of said Motion on interested parties, further noting that the timely objection filed to the Motion by the Debtors has been resolved pursuant to the terms of this Stipulated Order, and having been fully advised in the premises, the Court enters its findings of fact and conclusions of law determining that Debtors are in default on the payments required to be made to Selene Finance, LP and therefore Selene Finance, LP should be granted relief from the automatic stay to foreclose its Mortgage described in Exhibit "A" attached to its Motion. In accordance therewith, it is

ORDERED, ADJUDGED AND DECREED that the stay afforded by 11 U.S.C. Section 362 be and hereby is modified to permit Selene Finance, LP to enforce its rights under the Mortgage attached as Exhibit "A" to its Motion, on the real property situated at 6101 Franklin Ave., Des Moines, Iowa 50322 in Polk County, Iowa and legally described as follows:

The East Fifty-six (56) feet of Lot Forty-Six (46) in Lookout Heights Plat 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County.

PROVIDED HOWEVER, that the effectiveness of this Order shall be stayed so long as the Debtors make payment to Selene Finance, LP in the amount of \$3,355.76 (calculated as the monthly payments of \$1,001.48 for January 1, 2021 through March 1, 2021, plus \$188.00 filing fee, plus \$850.00 attorneys' fees, less \$686.68 in suspense)(this cure amount is not meant as a statement of the entire post-petition arrearage) payable in equal monthly payments of \$559.29 on or before each of April 1, 2021, May 1, 2021, June 1, 2021, July 1, 2021, August 1, 2021 and \$559.31 on or before September 1, 2021 and they remain current of the mortgage payments to be made to Selene Finance, LP outside of their Plan of Reorganization for the months of April 1, 2021 and following. If Debtors shall fail to make payment of any of the amounts described herein within 15 days of the due date for such payment then Selene Finance, LP may file an Affidavit with this Court specifying with particularity the nature of the default. Upon the filing of such an Affidavit of Default, or in the event of conversion of this case to one under Chapter 7, this Order shall be effective immediately and the automatic stay shall be annulled without further action or Order of this Court, the fourteen day stay provided for in Bankruptcy Rule 4001(a)(3) shall not apply, and the event shall suspend the future operation of Bankruptcy Rule 3002.1 to the Property and Movant, or its successors or assigns, shall not thereafter be obligated to issue Notice of Payment Changes, or Notice of Post-petition Mortgage Fees, Expenses and Charges, in this case, except if hereafter otherwise ordered by the Court. In the event of the filing of an Affidavit of default

under this Order Movant shall be entitled to reimbursement of its  
attorneys' fees and costs incurred in connection with the default.

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UNITED STATES BANKRUPTCY JUDGE

Approved as to substance and form by:

/s/ Mark D. Walz  
Mark D. Walz (IS9999065)  
Davis, Brown, Koehn, Shors & Roberts, P.C.  
4201 Westown Parkway Suite 300  
West Des Moines, IA 50266

/s/ Samuel Z. Marks  
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